

HB 2164 - DIGEST

Declares that, in an effort to protect the public health, safety, and welfare, the legislature has authorized and funded programs addressing child and elderly abuse and neglect and criminal offenders. The work undertaken by state employees and agents to deliver these important services requires them to make decisions based upon circumstantial evidence and measurable risk of harm associated with the available competing choices.

Declares that the legislature is obligated for policy reasons and fiscal responsibility to assure the state is accountable under fair and reasonable standards of negligence. The state cannot guarantee the safety of its citizens, particularly in cases of harm involving the criminal conduct of others. The legislature expects state workers to perform this difficult work nonnegligently, and does not intend to immunize the state for negligence.

Finds that the citizens of this state should not be liable when the state worker exercises reasonable care.